MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
November 25, 2014 6:00PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo "Tato" Munoz Christopher Reid Jolinda Tatum
Chairman **Vice-Chairman**

AREA OF IMPACT:

Ryan Higley Steve Woods
Vice-Chairman

CITY COUNCIL LIAISON

Rebecca Mills Sojka

ATTENDANCE

CITY LIMIT MEMBERS		**AREA OF IMPACT MEMBERS**	
Present	Absent	Present	Absent
Derricott	Boyd	Higley	
Frank		Woods	
Grey			
Munoz			
Reid			
Tatum			

CITY COUNCIL LIAISON(S): Mills Sojka
CITY STAFF: Carraway-Johnson, Spendlove, Strickland, Vitek, Wonderlich

I. CALL MEETING TO ORDER:

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following public meeting(s): **11-05-14 WS** **11-12-14 PH**
2. Approval of Findings of Fact and Conclusions of Law:
   Olsen (SUP 11-12-14) Griffin (SUP 11-12-14)

Motion:

Commissioner Munoz made a motion to approve the consent calendar, as presented. Commissioner Tatum seconded the motion.

Unanimously Approved

III. GENERAL PUBLIC INPUT: **NONE**

IV. ITEMS OF CONSIDERATION: **NONE**

V. PUBLIC HEARINGS:

1. Request for the Commission's recommendation to allow ***Additional Building Height*** for new silos on property located at 236 Washington Street South. c/o Steve Maughan on behalf of Glanbia USA (app. 2689)

Applicant Presentation:
Dane Higdem, representing Glanbia-USA, stated he is here to request an allowance for additional building height for 3 new silos. They are currently adding 3 silos that are approximately 70' and there area currently other silos on site that are the same height. They are for processing their milk products, and are constructed of stainless steel.

Staff Presentation:
Planner I Spendlove stated the property is currently Zoned M-2, it can be reasonably assumed that this designation was implemented in 1981 when a comprehensive zoning title amendment occurred that effectively created the zones we use today. In February 2011, a non-conforming expansion permit was issued to Glanbia Foods for an expansion of their operations at this location.

Per City Code 10-4-10 (C) – Building Height: No building shall exceed fifty feet (50') in height except as provided by Section 10-7-3.

Per City Code 10-7-3 – Additional Building Height: The council may allow greater than standard building heights with or without extra setback requirements, in the CB, C1, OT, M1 and M2 zoning districts and subdistricts. A request for additional height shall follow the public hearing process for zoning map amendments as described in subsection 10-14-5(B) and section 10-14-7 of this title. *(Ord. 3077, 8-11-2014)*

This project is located in the M-2 Zoning District and therefore the applicant may apply for additional building height following the public hearing process outlined in City Code 10-14. This process will include a Public Hearing with the Planning and Zoning Commission with a recommendation forwarded to the City Council for a decision.

Staff does not foresee a significant negative impact on adjoining property owners for this requested item. The locations of the proposed silos are considerably set back from the current roadway, and from any nearby residential properties. The facility currently utilizes silos of similar size and height for their operation, and staff does not expect these proposed silos to cause an unreasonable visual impact to the area.

Planner I Spendlove stated upon conclusion **s**hould the Commission recommend approval of this request, as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to no more than three (3) silos at maximum heights of 70'9", as presented. Placement shall be as shown on the site plan submitted by the applicant

PZ Questions/Comments:

- Commissioner Woods stated the drawings show a height of 70' 9" with the ladder cage and stated this is a fairly precise measurement in an imprecise world. He would recommend some leeway be given to account for safety type structures that may need to be added to the top of the silos. Additional safety structures could cause the silos to exceed the 70' 9" measurement.

Public Hearing: Open

- Pete Johnston, stated he lives directly south of this property, and thinks the additional building that is being constructed should have gone through a public hearing process. He stated he doesn't know why Glanbia even goes through a public hearing process because they do what they want to anyway, and wanted to be reassured that 3 silos is all this permit would allow. He stated he is opposed to this request.

Public Hearing: Closed

Deliberations Followed:

- Commissioner Frank asked about the status of the additional building that is being constructed. He also asked if the applicant has to go through this process again if the applicant wants to add more than 3 silos.
- Planner I Spendlove explained the building that is being constructed is an additional building and has met the requirements for a building permit, it did not require a public hearing. If the applicant wants to add more than 3 silos another public hearing process would have to occur.
- Mr. Higdem explained that he would be willing to meet with the neighbor to try and address some of his concerns**.**

Motion:

Commissioner Woods made a recommendation to the City Council to approve the request, as presented, with staff recommendations and subject to any structure added to enhance safety is allowed as long as the total height does not exceed 80'. Commissioner Reid seconded the motion. All members present voted in favor of the motion.

Recommend For Approval To The City Council, As Presented, With The Following Amended Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to no more than three (3) silos at maximum heights of 70'9", as presented. Placement shall be as shown on the site plan submitted by the applicant.

3. Subject to any structure added to enhance safety is allowed as long as the total height does not exceed 80'.

2. Requests for a ***Special Use Permit*** to operate a financial institution with a drive-through window on property located at 575 Pole Line Road West c/o Lance Fish on behalf of Westmark Credit Union (app. 2690)

Applicant Presentation:
Lance Fish, ZGA Architects, representing Westmark Credit Union, stated his client would like to build a financial institution with a drive through window located at 575 Pole Line Road West. The property is approximately .8 (+/-) acres and the facility would be approximately 2200 sq. ft. in size. The area is currently undeveloped with the closest neighbor being St. Luke's Hospital across the street. The request is for a drive through that will have an ATM machine and a pneumatic tube. He asked that the Commission approve the request.

Staff Presentation:
Planner I Spendlove stated this property is governed by the Canyon Properties PUD that went through the public hearing process in 2002-2003. This would have included multiple public hearings with Planning and Zoning as well as the City Council. In 2006, a final plat was approved by the City Council and recorded on September 21, 2006.

The narrative supplied by the applicant details the proposed credit union use, with hours of operation and anticipated employees. The Credit Union will operate regular business hours for financial institutions. They anticipate 3-5 employees and approximately 20 members/customers per day. The applicant does not anticipate any impacts to neighboring land uses, particularly since this is the first business being developed in the area.

Per City Code 10-4-8: C-1 Zoning District: A *financial institution is an allowed use. The proposed drive-thru window and ATM are the functions that require a Special Use Permit.*

Per City Code 10-7-6: Front Yard Setbacks: *Pole Line Road West has a Centerline Setback of 93 feet. This distance will be verified and enforced at the time of building permit submittal and review. The site plan furnished by the applicant appears to meet this requirement.*

Per City Code 10-7-12: Special Landscaping: *Pole Line Road is a gateway arterial, which requires 30 feet of landscaping measured immediately behind the sidewalk, or future sidewalk. The Canyon Properties PUD Agreement requires additional landscaping both along public roadways and internal roadways. This requirement will be reviewed and enforced during the building permit approval process.*

Per City Code 10-10: Off Street Parking: *Financial institutions are required to provide 1 space per 350 square feet of gross floor area, as well as 3 stacking spaces per window or service lane. Additionally, the parking lot landscaping requirements may also be required, depending on the final site plan submitted for the building permit. These requirements will be reviewed and enforced during the building permit approval process.*

Per City Code 10-11-1 thru 8: Required improvements: Landscaping, screening, parking areas, streets, sanitation facilities, water, sewer, and drainage improvements will be reviewed for compliance with applicable city codes and requirements prior to building permit approval.

Per Canyon Properties PUD Agreement #229:
"Recital 5.E.(pg 8) Building Standards: Buildings and Improvements shall comply with the following standards:

1. Design Standards - Commercial, Limited Commercial, or Professional Office Buildings **shall have** pitched roofs, or mansard roofs to preclude visibility of the roof surfaces of "flat" roofs. Roofs shall have vertical variations, cornices or other accents to reduce the box like appearance. Building faces shall be broken up with windows, recesses, awnings or other architectural features that break up large flat surfaces."

The elevations provided by the applicant need to be assessed by the Commission to determine whether the intent of the PUD Document has been achieved, particularly in respect to the pitched or mansard roof requirement outlined above.

The activities of the Credit Union itself are allowed within this particular zone and within the Canyon Properties PUD Agreement, as recorded. The special use being drive-thru use appears to be largely mitigated by the location at the corner of a major arterial and collector. It is reasonable to assume that any headlight nuisance or noise emitted from the speakers of such devices to be no more audible than the ambient noise levels attributed to passing traffic along Pole Line Road.

Planner I Spendlove stated upon conclusion should the Commission grant this request, as presented, staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to compliance with Canyon Properties PUD Agreement #229, or as amended.

PZ Questions/Comments:

- Commissioner Munoz asked about the location of the ATM machine and if lighting would be on 24 hours and faced down.

- Mr. Fish explained the ATM will be on the wall of the building. The lights will be on 24 hours for security and will be faced down to reduce the impacts to the neighboring properties.

Public Hearing: Open & Close Without Comments.

Deliberations Followed:

- Commissioner Grey stated as for use he thinks this would be fine, however architecturally it does not conform to the PUD requirements.
- Commissioner Munoz stated he thinks it has enough variation and is similar to other buildings in this area.
- Commissioner Frank stated he sees the variations that break up the building and would have to side with Commissioner Munoz.
- Commissioner Derricott explained that the PUD calls for either a mansard or a pitched roof and it is has neither.
- Commissioner Grey stated this will be the first building to be constructed in this area and what gets built sets the standard for things to follow.
- Commissioner Derricott asked if this was something that would normally be addressed during the building plan review process. The challenge is that the PUD says it needs to be mansard or pitched and the design provided has neither.
- Planner I Spendlove explained that staff has tried to address this during the building plan review process but were unable to come to an agreement, therefore it was brought to the Commission for review.
- Commissioner Higley explained the design needs to meet the PUD agreement requirements.
- Commissioner Frank asked for a mansard roof description and a pitch roof definition.
- Planner I Spendlove displayed images on the overhead examples of mansard roofs.
- Commissioner Derricott explained it could be 1:12, 4:12 as long as it has a slope. The purpose in the PUD is to preclude the visibility of the roof surfaces which is hidden by the parapet in this design but the roof is still not a mansard or a pitched roof.
- Commissioner Grey explained he thinks the intent of the PUD was to avoid a design like the one presented, there is a desire to have more architectural style and this is just another box.
- Commissioner Higley stated he thinks it needs a different roof.

Motion:

Commissioner Grey made a motion to approve the request, as presented, with staff recommendations, and subject to approval by the Commission of roof style, prior to building permit being issued. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

Approval, As Presented, With The Following Amended Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to compliance with Canyon Properties PUD Agreement #229, or as amended.
3. Subject to approval of the roof style by Commission Action prior to building permit being issued.

3. Request for the Commission's recommendation for a ***Zoning District Change and Zoning Map Amendment*** for property being requested for annexation from R-1 VAR to C-1 PUD for a 40 (+/-) acre parcel to allow a planned mixed use development compatible with the Urban Village/Urban Infill designation, as described in the Twin Falls Vision 2030 - A Comprehensive Plan, and consisting of a combination of residential, professional office and light commercial uses, on property located at the southwest corner of Pole Line Road East and Eastland Drive North. c/o Gerald Martens, EHM Engineers, Inc. on behalf of Northeast Investments, LLC (app. 2644)

Applicant Presentation:
Gerlad Martens, EHM Engineers, Inc., representing Northeast Investments, LLC, after the previous public meeting discussion the applicant decided to hold a meeting with the neighbors to discuss concerns about the project. They had a neighborhood meeting that resulted in open dialog with approximately 25 residents. There is still a major concern with traffic in an area that already has some traffic issues. He reviewed the changes that were made to the proposal sense the last meeting. They have worked through the list of uses with the neighbors and amended the language in the PUD document. They concur with all of the staff recommendations and also acknowledged that a drop turn lane may be required along Pole Line Road East in the future to address traffic issues.

PZ Questions/Comments:

- Commissioner Woods asked about fencing along Pole Line Road East and Eastland Drive North.
- Mr. Martens stated fencing is not precluded and any fencing along the residential boundary will have to be uniform and consistent probably installed by the developer. In the commercial zoned are there is nothing that requires or precludes fencing.
- Commissioner Frank asked if the is a setback from the sidewalk to the fence.
- Mr. Martens explained that the PUD required 20' of landscaping to the street with criteria specifications. There is landscaping adjacent to Cheney both sides of Mountain View Drive and 30' along Pole Line Road and Eastland Drive North.

Staff Presentation:
Planner I Spendlove stated on August 12, 2014 the Planning & Zoning Commission heard the preliminary PUD presentation on this request. Due to public comments the public hearing was postponed until October 14, 2014. After the public hearing was closed at the October 14, 2014 Planning & Zoning meeting the applicant's requested the item be tabled – to be rescheduled. On November 18, 2014 the applicant held a neighborhood meeting at EHM Engineer, Inc. offices.

This is a request for an Annexation and a Zoning District Change and Zoning Map Amendment. Annexation is allowed under certain circumstances. The property must be within the Area of Impact, adjacent to current city limits, and formally applied for by the owner of the property. This +/- 40 acre parcel is within the Area of Impact and abuts city limits on almost all sides. With this application submitted by the owner, all criteria for annexation have been met. The commission is not tasked with making a decision on whether the annexation is appropriate. The task of the Commission is to assign an appropriate Zoning District to the property if it were to be approved for annexation.

The PUD Agreement submitted by the applicant is similar in layout, form and function to those previously submitted by other entities. One item that was a concern before was the status of the **"Private Drives"** as shown on the Master Development Plan. The City has recently encountered problems with private drives as it pertains to response by emergency personnel. After some discussion these issues are not a concern.

In general, the PUD "Uses" and "Development Criteria" meet the Urban Village/Urban Infill designation found in the Twin Falls Vision 2030 - A Comprehensive Plan. Since we do not have an Urban Village/Urban Infill zoning district in place and for familiarity, staff will identify those sections that will differ from the Zoning Districts currently in practice within City Code.

He outlined the covenants in the PUD Agreement and reviewed possible impacts.

- ***<u>Covenant #2 Nature of the Development: A - USES</u>***

  *The uses of the property between the westerly boundary of the property and Mountain View Drive and within 350 feet of Pole Line Road (**Area A**) will be limited to a "Bishop's Storehouse" facility as depicted in Exhibit D. In the event the "Bishop's Storehouse" is not located on said property the property may be developed for uses specified in Exhibit "C".*

  *The use of property West of Mountain View Drive and more than 280 feet North of Cheney Drive and more than 350 feet South of Pole Line Road (**Area B**) will be limited to residential townhomes, professional offices, or individual residences conforming to R1-VAR Standards.*

  *The uses within 280 feet of the Southerly boundary and West of Mountain View Drive (**Area C**) will be limited to individual residences conforming to R1-VAR Standards. All buildings within 280 feet of the southerly boundary shall be further restricted as outlined in Covenant 5, Section F.2.*

  *Except as provided herein, the uses in **Area D**, as designated on the Master Development Plan, shall be limited to those allowed in Exhibit "C".*

*The use of property East of Mountain View Drive, West of Eastland Drive, more than 280 feet North of Cheney and South of the access drive depicted on Exhibit B (**Area E**) shall be limited to professional offices.*

*The uses within 280 feet of the Southerly boundary and East of Mountain View Drive (**Area F**) will be limited to individual residences conforming to R1-VAR Standards. All buildings within 280 feet of the southerly boundary shall be further restricted as outlined in Covenant 5, Section F.2.*

- **Possible Impacts**: the list of uses provided in *Exhibit C* is a modified list of the current C-1 Zoning District. The applicant has only removed items from the list as shown in current C-1 Zoning Code; no new uses were introduced to the list. This was an attempt to address the need to conform to the Urban Village/Urban Infill description on the Comprehensive Plan.

  The subsequent paragraphs in the PUD Agreement describe areas of the Master Development Plan that will be limited to certain types of development. The effect of these restrictions is illustrated in the Development Key on the Master Development Plan (Attachment #5).

  Area B is described in the PUD Agreement as able to develop into Single Family Homes, or Townhomes that meet the R-1 Variable criteria or Professional Office and the area needs to be uniform in its use, it will not be mixed. The Urban Village/Urban Infill Designation has a description that calls out the need for a variety of housing options. If this particular area were developed under R-1 VAR or PRO, the overall PUD would not have a variety of housing options located within the boundary.

  Areas C and F are further limited by certain standards as identified in this PUD under **Covenant 5- F: Building Standards -2 Cheney Drive Restrictions.** These restrictions will be detailed later in this report.

- ***Covenant #5 – C: Landscaping:***
  Perimeter landscaping shall be required to be installed on each parcel of the Property and in the public right-of-way adjacent thereto at the time site and building improvements are completed thereon or by the next planting season for the proposed vegetation. Such landscaped perimeter shall be installed from the back of the curb in the public right-of-way, and shall be extended toward the interior of lots to the dimensions set forth below.

Pole Line Road – 35 feet (inclusive of a five foot (5') detached sidewalk)
Eastland Drive – 35 feet (inclusive of a five foot (5') detached sidewalk)

Mountain View Drive – 20 feet except the area depicted as park/wetlands.
Cheney Drive – 20 feet

All parking areas shall include landscape islands spaced at intervals not exceeding eight standard parking spaces.

Landscaping adjacent to Eastland Drive and Pole Line Road shall be positioned to minimize shading of the roadway surface that would cause reduced snow melt conditions.

- **Possible Impacts*:*** The requirements identified for landscaping go beyond what is required in current City Code. Specifically, the perimeter landscaping will include a detached sidewalk to allow for safer pedestrian traffic on Pole Line Rd East and Eastland Drive North.

  The interior parking lot landscaping is also more than will be required in City Code. The City recently adopted a new parking code that requires landscaping islands at intervals of fifteen (15) spaces.

  These proposed standards will result in a development that has increased landscaping and vegetation buffers for internal users as well as those areas surrounding the development. Overall, staff believes these changes to be positive and will greatly beautify the roadway corridors that connect to the surrounding areas above what current city code requires.

- ***Covenant #5 – D: Landscaping Plan:***

  - **Possible Impacts*:*** As described, the development will require more landscaping in areas that are not currently required in City Code. This additional landscaping would help towards making the development more in-line with the Urban Village/Urban Infill designation as described in the Comprehensive Plan for this area. Also, the grouping, height and type of trees and shrubs required could lend toward a more water wise landscape plan for the area.

- ***Covenant #5 – F: Development Standards-1. Architectural Style***
  …g. Building Size: *All buildings shall conform to the IBC. Building footprints exceeding 40,000 square feet shall be required to obtain Special Use Permit approval as outlined in Twin Falls City Code, as amended.*

  - **Possible Impacts:** This item is a departure from any base zoning code the city currently has enacted. The purpose behind this requirement is to bring the development more in line with the Urban Village/Infill description found in the Comprehensive Plan. This item makes this

development distinctly different from the C-1 Zone by limiting building footprint size unless a Special Use Permit is obtained through a public hearing process.

- ***Covenant #5 – F: Development Standards-2. Professional Office Restrictions:***
  a. *Professional Office uses and development in Area B and Area E shall include a Master Landscaping Plan designating common landscape areas. All landscaping materials and landscape maintenance shall be uniform and maintained in a uniform manner.*

  - **Possible Impacts:** This item will cause landscaping in Area E to be designed and maintained in a uniform manner. If Area B is developed with Professional Office, it also causes it to be designed and maintained in a uniform manner.

- ***Covenant #5 – F: Development Standards-3.Cheney Drive Restrictions***

  All buildings within 280 feet of the Southerly boundary (Area C and Area F) shall be of residential architectural character.

  Residential units within 280 feet of the South boundary shall have the following additional requirements:

  a. *Minimum living unit size of residences shall be 1600 square feet exclusive of garage.*

  b. *Each residence shall have a 2 car or larger garage.*

  c. *Lot area shall average not less than 10,000 square feet*

  d. *Exterior material shall be brick, stucco or stone, or a combination thereof.*

  e. *No garage doors shall face Cheney Drive.*

  f. *Roof pitches shall be not less than 6 in 12.*

  g. *Building height shall not exceed 28 feet.*

  h. *Any fencing parallel to and adjacent to Cheney shall be uniform and approved by the architectural control committee.*

  - **Possible Impacts:** These regulations restrict the development standards for buildings within 280 feet of the South boundary (**Area C** and **Area F**). These criteria place minimum standards for any residential development that occurs in these areas. These criteria will be reviewed and enforced by City Staff at the time of Building Permit submittal. These restrictions are not found in Twin Falls City Code. These restrictions are typically found within Codes, Covenants, and Restrictions (CC&R's). The greatest impacts these restrictions will have are on future land owners for this property, as well as an increased review time for future Building Permits.

- ***<u>Covenant #5 – F: Development Standards-4.Cheney Drive Restrictions</u>***

  Residential townhomes constructed as defined by the City of Twin Falls as of the date of this agreement and in the designated area West of Mountain View Drive (Area B) shall be of residential architectural style and shall not exceed a footprint greater than 10,000 square feet (exclusive of garages) and shall have the following additional requirements.

  a. Minimum living unit size of 1600 square feet exclusive of garages.

  b. Each residence shall have a two car or larger garage.

  c. Exterior material shall be brick, stucco or stone or a combination of thereof.

  d. Roof pitches shall not be less than 6 in 12.

  e. Building height shall not exceed 35 feet.

  f. The maximum density shall not exceed on average a density of 8 residential units per acre.

  g. All landscaping shall be uniformly designed and maintained.

  h. Common amenity facilities including owners meeting rooms, pools, outdoor recreation equipment are allowed uses.

  - **Possible Impacts:** These regulations restrict the development standards for buildings within **Area B.** These criteria place minimum standards for the Townhouse development, if it occurs in this area. These criteria will be reviewed and enforced by City Staff at the time of Building Permit submittal. These restrictions are not found in Twin Falls City Code. These restrictions are typically found within Codes, Covenants, and Restrictions (CC&R's). The greatest impact these restrictions will have are on future land owners for this property, as well as an increased review time for future Building Permits.

- ***<u>Covenant #5 – F: Building Standards-3.Sign Plan</u>***

  a. <u>Project Identification Signs</u>: Project identification signs will be monument type signs with a maximum height of 10 feet measured above the adjacent curb.

  b. <u>Building Signs</u>: Building signage shall be limited to wall mounted signs in conformance with City of Twin Falls sign code and/or monuments signs with a maximum size of 100 square feet per building.

  c. No Pylon or roof mounted signs.

  d. All signs shall be approved by the project architectural review committee and subject to City of Twin Falls sign code.

- **Possible Impacts:** This list of requirements is more restrictive than the current sign code. The greatest impact will be to the future owners/developers of any commercial or professional development which may take place.

- ***Covenant #5 – F: Building Standards-9.Pedestrian Improvements:***
  The Developer will provide pedestrian and bicycle access from and to the perimeter public sidewalk. The walkways may be constructed of asphalt, concrete or concrete pavers and designed to provide access from all developed parcels.

  - **Possible Impacts:** Staff does not feel this change will have a significant impact to the development or its connectivity to surrounding areas. Pathways required for ADA Compliance will still need to be met according to applicable codes and laws.

Planner I Spendlove stated Should the Commission choose to recommend the zoning designation, as presented, Staff recommends approval be subject to the following conditions:

1. Subject to site plan amendments per Building, Engineering, Fire and Zoning Officials for compliance with City Code requirements and standards.
2. Subject to development in compliance with the Master Development Plan and the PUD Agreement as approved.
3. Subject to all development within Area B being uniform in "Use".

PZ Questions/Comments:

- Commissioner Grey asked about number of units that will be allowed in the residential area.
- Mr. Martens explained each unit will be independently owned and there will not be any 4-plexes, 6-plexes etc.
- Commissioner Woods asked about the traffic separation shown in the design.
- Planner I Spendlove explained that what is being shown is for aesthetics and if built will have to be approved through the Engineering Department.
- Commissioner Higley asked about permitted uses and verbiage that does not match television/radio stations without transmission and receiving towers and in the special uses section it states radio/television stations with wireless communication facilities. He asked that this be clarified and have similar verbiage.
- Planner I Spendlove agreed that the verbiage should be clarified.
- Commissioner Higley asked about the large building in the center of the NE corner.
- Mr. Martens explained that the building shown is the approximate size of the St. Luke's Medical Office on Addison Avenue East surrounded by parking, it was simply added for illustration only.
- Commissioner Grey asked about compliance with building standards listed in the PUD Agreement.

- Mr. Martens explained this was requested by the neighbors, that is why these things are in the PUD. The CCR's can be changed but a PUD Agreement cannot be changed without come back through a public hearing process.
- Commissioner Munoz explained that CCR's are not enforceable by City.

Public Hearing: Open

- Max Thompson 2679 Pole Line Rd East stated his major concerns have to do with traffic. He asked if there is a standard that determines when a light needs to be installed.
- Dennis Brown, 2137 N Temple Dr. stated originally he was opposed to this project and after the compromise that has been made he is in support of the project.
- Brent Hyatt, 2119 N. Temple Dr. stated he would like to support this development and appreciates their willingness to work with the neighbors.
- Jan Hyatt, 2119 N. Temple Dr. stated a great amount of compromise has been made for this project. She is pleased to see that there will be a park put in this development. An acre and a half will be a wonderful addition to the neighborhood. She would ask that any fencing that is installed be substantial because of the wind.
- Nathan Welch, 1345 Mountain View Dr. stated this has been a positive process and they have enjoyed working with the developers. He is pleased with the compromise and recommends approval.
- Dell Smith 1463 Mountain View Drive stated regarding the fencing he would recommend more of a rod iron fence vs vinyl fencing.
- David Sparks, 1999 Pole Line Rd E, stated he is pleased to see that the wetland area will be maintained. Where he currently lives he sees traffic issues already and hopes a traffic signal goes in sooner than later for people to safely cross to the trail from this development.
- Don Johnson, representing the LDS Storehouse, stated that he is pleased with the work that has been put into this project and he looks forward to moving forward.

- **Commissioner Frank read a letter from a citizen that has been filed with the record.**

Public Hearing: Closed

Closing Statements:
Mr. Martens explained a traffic study will be completed to determine what is needed to address traffic and roadway designs. Fencing will not be a vinyl fence it will be some type of uniform material but will complement the property. The trail connection has been discussed and they are going to work with staff to get a cross walk in this area. He wanted to complement the neighbors and stated that it was a good experience.

PZ Questions/Discussion:
Commissioner Frank asked for some clarification on the traffic.
Assistant City Engineer Vitek explained there has been a traffic study along Cheney for a week which resulted in an average of 30 cars per day which is minor. As for traffic studies for this area, the City Engineer will ask for the highest and best use not knowing what it could be so that

planning can occur. He also explained the park land designation is in the wetland area that has to be maintained under EPA guidelines. It will not be quite the same as a the Jason-Kelly Park but it will be an open grassy area.

Deliberations Followed:

- Commissioner Munoz explained that this is an example of why the public hearing process occurs. He would like to see the developers work with the neighbors more with projects like this, it makes things work better.
- Commissioner Grey explained he was glad to hear discussion was about design vs not in my back yard.
- Commissioner Frank stated this is a huge change and will codify the design restrictions.
- Commissioner Tatum thanked the neighbors for coming and speaking on the item.
- Commissioner Woods thanked the applicant for working with the neighbors.

Motion:
Commissioner Munoz made a recommendation the Zoning District Change & Zoning Map Amendment as presented and including staff recommendations is an appropriate Zoning District. Commissioner Derricott seconded the motion. All members present voted in favor of the motion.

1. Subject to site plan amendments per Building, Engineering, Fire and Zoning Officials for compliance with City Code requirements and standards.
2. Subject to development in compliance with the Master Development Plan and the PUD Agreement as approved.
3. Subject to all development within Area B being uniform in "Use".

VI. ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

Zoning & Development Manager Carraway-Johnson reminded the Commission that the December 3, 2014 Planning & Zoning Work Session has been cancelled. She stated there are three items coming up on the December 9, 2014 Agenda and explained that she doesn't have anything scheduled for the December 23, 2014 meeting as of yet. She explained that the Commission will be notified if the meeting for December 23, 2014 is canceled. She provided a copy of the final RFQ for the Comprehensive Plan Update. It has been published in the Times News, Idaho Statesmen, Salt Lake Tribune, and the America Plan Association website. There have been some enquiries from firms that are interested; the cutoff date is December 18, 2014. She gave an update on the coffee shop/drive through located on Blue Lakes Boulevard and it is operating in compliance with the existing Special Use Permit. Two of the three items that were heard tonight will go the City Council. The Glanbia additional building height request is scheduled for December 1, 2014 and the Northeast Investments PUD is scheduled for December 15, 2014.
Commissioner Grey asked about the car lot on Washington Street North and the vacant building that is on the lot.

Zoning & Development Manager Carraway-Johnson explained the build itself does not have to be removed however it does need to be secure. The Building Official Jarrod Bordi is working with Mr. Nagel to get this done. Mr. Nagel does not live here so it is a little difficult to get things done. Mr. Nagel has requested that the Special Use Permit be voided; anything that comes through for this property that requires a Special Use Permit will have to come back through for the Commission to review.

VII. UPCOMING PUBLIC MEETINGS: (held at the City Council Chamber unless otherwise posted)

1. Work Session- **December Work Session-Cancelled**
2. December Public Hearing(s) - **December 9, 2014** **December 23, 2014**
3. Work Session- **January 7, 2015**

VIII. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:36 PM

Lisa A Strickland
Administrative Assistant
Planning & Zoning Department